



October 2, 2017

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

Re: Notice of Ex Parte Communication, MB Docket Nos. 14-50; 09-182; RM-11787

Dear Ms. Dortch:

Last Friday the undersigned of the National Association of Broadcasters (NAB) met with Matthew Berry of Chairman Pai's office to discuss media ownership regulations and NAB's petition for rulemaking regarding interference between FM translators and full-power FM stations.

NAB's comments were consistent with its filings in this docket.<sup>1</sup> In particular, NAB reiterated that it supports Connoisseur Media, LLC's petition for reconsideration of the Commission's method for calculating ownership limits in embedded markets.<sup>2</sup> Station groups in New York, NY, and Washington, DC. may be artificially and unreasonably limited in the number of stations they can acquire in embedded markets due to the local ownership limit in the parent market. As NAB and other commenters have explained, stations in embedded markets do not compete across other embedded markets, and they do not compete in their parent markets.<sup>3</sup> The Commission should reconsider its treatment of embedded markets

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<sup>1</sup> See, e.g., Letter of Rick Kaplan, General Counsel and Executive Vice President, National Association of Broadcasters, MB Docket Nos. 14-50, 09-182 (Mar. 10, 2017) (NAB Letter); Comments of the National Association of Broadcasters, MB Docket Nos. 14-50, 09-182, et al. (Aug. 6, 2014).

<sup>2</sup> See NAB Letter; see also Petition for Reconsideration of Connoisseur Media, LLC, MB Docket Nos. 14-50, 09-182 (Dec. 1, 2016).

<sup>3</sup> See, e.g., NAB Letter; Comments of Connoisseur Media, LLC, MB Docket Nos. 14-50, 09-182 (Aug. 6, 2014).

and determine that an embedded market station only counts toward a station group's ownership total in the parent market if the embedded market station has signal coverage of at least 50 percent of the parent market.

NAB also inquired about the status of NAB's petition for rulemaking that proposes rules and policy changes designed to facilitate the efficient disposition of interference conflicts between FM translators and full-power FM stations.<sup>4</sup> As demonstrated by the comments filed in response to the petition, such interference remains a persistent problem.<sup>5</sup> Adoption of NAB's proposals would help to improve the Commission's procedures for resolving these conflicts and provide additional certainty to both FM broadcasters and translator owners. NAB encouraged the Commission to promptly advance our petition to a notice of proposed rulemaking.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Rick Kaplan", with a long horizontal line extending to the right.

Rick Kaplan  
General Counsel and Executive Vice President  
Legal and Regulatory Affairs  
National Association of Broadcasters

cc: Matthew Berry

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<sup>4</sup> Petition for Rulemaking, National Association of Broadcasters, RM-11787 (Apr. 20, 2017).

<sup>5</sup> See, e.g., Statement in Support of Petition for Rulemaking, Alpha Media LLC, Beasley Media Group, LLC, et al., RM-11787 (May 30, 2017); Consolidated Comments of Wilkins Parent Corporation and Its Affiliates, RM-11787, at 2-3 (May 30, 2017).